



Date	Event
February 26, 2021	Deadline for Motions to Transfer
April 2, 2021	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the two years preceding the filing of the Complaint, unless the parties agree to some other timeframe.
April 21, 2021	Parties exchange claim terms for construction.
May 5, 2021	Parties exchange proposed claim constructions.
May 12, 2021	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. <sup>2</sup> With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
May 19, 2021	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
May 26, 2021	Plaintiff files Opening claim construction brief, including any arguments that any claim terms are indefinite.
June 16, 2021	Defendant files Responsive claim construction brief.
June 29, 2021	Plaintiff files Reply claim construction brief.
July 13, 2021	Defendant files Sur-Reply claim construction brief.
July 16, 2021	Parties submit Joint Claim Construction Statement.  See General Issues Note #8 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).

<sup>2</sup> Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

Date	Event
July 20, 2021	Parties submit optional technical tutorials to the Court and technical adviser (if appointed). <sup>3</sup>
July 27, 2021	<i>Markman</i> Hearing at 9:30 AM for 1.5 hours.
July 28, 2021	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
September 7, 2021	Deadline to add parties.
September 23, 2021	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
November 18, 2021	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
December 6, 2021	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a teleconference with the Court to resolve the disputed issues.
January 6, 2022	Close of Fact Discovery.
January 12, 2022	Opening Expert Reports.
February 9, 2022	Rebuttal Expert Reports.
March 2, 2022	Close of Expert Discovery.
March 7, 2022	Deadline for the second of two meet and confer to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.

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<sup>3</sup> The parties should contact the law clerk to request a Box link so that the party can directly upload the file to the Court's Box account.

Date	Event
March 17, 2022	Dispositive motion deadline and <i>Daubert</i> motion deadline.  See General Issues Note #8 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
March 31, 2022	Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery and deposition designations).
April 14, 2022	Serve objections to pretrial disclosures/rebuttal disclosures.
April 21, 2022	Serve objections to rebuttal disclosures and file motions <i>in limine</i> .
April 25, 2022	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, discovery and deposition designations)
April 28, 2022	File oppositions to motions <i>in limine</i> .
May 2, 2022	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com.
May 4, 2022	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
May 13, 2022	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
May 16, 2022	Final Pretrial Conference.
June 6, 2022	Jury Selection/Trial.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE

Date: February 5, 2021

Respectfully submitted,

LAW OFFICE OF JOSEPH M. ABRAHAM  
PLLC

/s/ Joseph M. Abraham

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 5<sup>th</sup> day of February, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/Joseph M. Abraham  
Joseph M. Abraham